

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE BLACK & DECKER CORPORATION,	)	Case No. 1:11-cv-05426
BLACK & DECKER INC. and BLACK &	)	
DECKER (U.S.) INC.,	)	
	)	
Plaintiffs,	)	Judge Robert M. Dow, Jr.
	)	
v.	)	Magistrate – Judge Geraldine
	)	Soat Brown
POSITEC USA INC. and RW DIRECT, INC.,	)	
	)	
Defendants.	)	
_____	)	

**STIPULATION REGARDING DOCUMENT BATES LABELED**  
**POSITEC 002280-2282**

As set forth below, Plaintiffs, The Black & Decker Corporation, Black & Decker Inc., and Black & Decker (U.S.) Inc. (“Plaintiffs”), and Defendants, Positec USA Inc. and RW Direct, Inc. (“Defendants”), hereby stipulate to the following:

1. Document Bates labeled POSITEC002280-2282, and identified as Plaintiffs’ trial exhibit PX-68, was previously produced with portions redacted that were protected by the attorney client privilege and identified in Defendants’ privilege log.
2. Defendants agree to produce an unredacted version of PX-68 which can be used at trial and hereby waive the attorney client privilege with respect to the specific communications between Felix Zhao and Tom Duncan and between Bill Yang and Felix Zhao contained therein.
3. The parties agree that the production of the unredacted version of PX-68 does not serve as a waiver of the attorney client privilege as to Defendants with respect to any other document, testimony or issue of any kind.

Respectfully submitted,

*/s/Raymond P. Niro, Jr.*

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Respectfully submitted,

*/s/Brian P. McGraw*

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### **CERTIFICATE OF SERVICE**

The undersigned certifies that on this 24th day of September, 2015, the foregoing supplemental memorandum was filed according to the rules of Electronic Court Filing (ECF) in effect for the Northern District of Illinois – Eastern Division, which ECF system will provide a copy of same to all persons registered to receive service in this case.

*/s/ Brian McGraw*  
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*Counsel for Defendants*